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Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 6551 OF 2005

PETITIONER : Prahlad Kumar Sagar Son of Late Shri Udainath Sagar, aged about 30 years, Village Tahsilpara, Kondagaon, District Bastar (C.G.).

P.R. No. 6611/05 Presented by Sh. AK Pasari dated 23/12/05

VERSUS

RESPONDENTS :

1. Union of India, Through: Its Secretary, Personnel and Training Grievances, CELL, 2nd Floor Khan Market, New Delhi.

2. State of Chhattisgarh, Through: its Secretary, Department of Anusuchit Jati, Anusuchit Janjati, Pichhda Varga avam Alpasankhyak Vibhag, D.K.S. Bhawan, Mantralaya, Raipur (C.G.).

3. State of Madhya Pradesh, Through: Its Secretary, Anusuchit Jati, Anusuchit Janjati, Pichhda Varga avam Alpasankhyak Vibhag, Vallabh Bhawan, Bhopal (M.P.).

4. The Commissioner, Anusuchit Jati, Anusuchit Janjati, Pichhda Varga avam Alpasankhyak Vibhag, Raipur (C.G.).

5. The Deputy Commissioner, Adivasi Vikas Vibhag, Jagdalpur (C.G.).

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for THAKUR VIJAY SINGH Asst. General of Ir... CHHATTISGARH HIGH COURT High Court Campus, Bilaspur (C.G.) 23-12-05

APARNA MISHRA CC-2073/96 22/12/05

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND/OR A SUITABLE DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक WP 6551/05 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	3-1-2006	

Shri Vivek Sharma, counsel for the petitioner.

Shri R.K. Mishra, Govt. Advocate, for the State of Chhattisgarh.

Heard.

Learned counsel for the petitioner states that the petitioner's father, who was working as Assistant Teacher in Tribal Department, died on 9/10/2000 during the service period and the petitioner applied for compassionate appointment. It is submitted that the Deputy Commissioner has directed the Assistant Commissioner to consider the case of the petitioner and take necessary steps but till date the petitioner has not been given the appointment order. It is further submitted that in batch of cases bearing W.P. No.1322/2002 involving the same question orders have been passed by this Court on 20/12/2005. He prays that similar orders may be passed in this case also.

Learned counsel for the State does not dispute the above fact and states that the State of Chhattisgarh has taken a decision to consider the cases of dependants of those employees who died on or after 1/11/1997 and strictly in accordance with the policy prevalent at that time.

In view of the submissions made by learned counsel appearing for the parties, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the State of Chhattisgarh and the authorities concerned to consider and decide the case of the petitioner in accordance with the policy prevalent at the time of death of his father. If the petitioner found eligible, appointment orders will be issued as early as possible on or before 30th April, 2006. The petitioner is also directed to render due co-operation to the authorities. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law including filing of the petition before this Court.

With the aforesaid observations, this petition stands disposed of.

Certified copy as per rules.

Copy to the State counsel, who will be obliged to communicate the order to the respondents for compliance.

HC

25/1/06

Sd/-
Fakhruddin
Judge